Customer No.: 07278 Docket No.: 01780/100G910-US3

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

application of:

David P. MacAdam et al.

Serial No .:

10/618,441

Filed:

July 11, 2003

For:

SYSTEMS FOR PROCESSING ELECTROCARDIAC SIGNALS

HAVING SUPERIMPOSED COMPLEXES

February 15, 2005

## INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted in accordance with 37 C.F.R. 1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

- 1. This IDS should be considered, in accordance with 37 C.F.R. 1.97, as it is filed:(Check one of the boxes A-D)
  - []A. Within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.
  - [] B. before the mailing date of a first office action on the merits, or a first office action after filing a request for continued examination.
  - [] C. after (A) and (B) above, but before the mailing date of a final rejection, a notice of allowance, or any other action that closes prosecution, and Applicants have made

the necessary statement in box "i" below or paid the necessary fee in box "ii" below.

(check one of the boxes "i" and "ii" below:)

- [] i. Counsel states that, upon information and belief, each item of information listed herein was either (a) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or (b) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.
- [] ii. A check for the fee set forth in 1. 17(p), presently believed to be \$180, is enclosed.
- [x] D. after (A), (B) and (C) above, but before payment of the issue fee: Counsel states that, upon information and belief, each item of information listed herein was either (i) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the IDS; or (ii) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.
  - [] i. A check for the fee set forth in 1.17 (p), presently believed to be \$180, is enclosed.
- 2. In accordance with 37 C.F.R. 1.98, this IDS includes a list (e.g., form PTO/SB/08) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached, except as explained below.

(check boxes A, B and/or C and fill in blanks, if appropriate.).

[] A.	Pursuant to the Notice issued by the United States Patent and Trademark
	Office dated July 11, 2003 waiving the requirements of 37 C.F.R. §
	1.98(a)(2)(i), a copy/copies of the United States Patent on PTO/SB08
	is/are not being submitted.
	<u> </u>

- [] B. Document(s) \_\_\_\_\_ is (are) deemed substantially cumulative to document(s) \_\_\_\_\_, and, in accordance with 1.98(c), only a copy of each of the latter documents is enclosed.
- [] C. Certain documents were previously cited by or submitted to the Office in the following prior applications, which are relied upon under 35 U.S.C. 120:

[SERIAL NO. & FILING DATE].

Applicant identifies these documents by attaching hereto copies of the forms PTO-892 and PTO/SB08 from the files of the prior application(s) or a fresh PTO/SB/08 listing these documents, and request that they be considered and made of record in accordance with 1.98(d). Per 37 CFR 1.98(d), copies of these documents need not be filed in this application.

[] 3. Docume	ent(s) are not in the English language. In accordance with
1.98(c), Applicant st	ates:
0	An English translation of each document (or of the pertinent portions thereof), or a copy of each corresponding English-language patent or application is enclosed.
[]	A concise explanation of the relevance of document(s) is found in the attached search report (see MPEP § 609 A(3)x).
[]	A concise explanation of the relevance of document(s) is set forth as follows: [Insert concise explanation of relevance]
[]	A concise explanation of the relevance of document(s) can be found on page(s) of the specification.
[]	A concise explanation of document(s) can be found on the attached sheet.

[] 4. No explanation of relevance is necessary for documents in the English language (see MPEP § 609 A(3)).

[X] 5. Other information being provided for the examiner's consideration follows:

A European Search Report, dated January 19, 2005, which issued during the prosecution of European Patent Application No. EP 04 01 6344.

6. In accordance with 37 C.F.R. 1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless other-wise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

With regard to John P. MARENCO, et al., "Testing of a New T-Wave Subtraction Algorithm as an Aid to Localizing Ectopic Atrial Beats", A.N.E., January 2003, Vol. 8, No. 1, pp. 55-59; and WO-03/022148-A1, Applicant denies that these references are prior art against the present applicant and submits them only because they were cited as particularly pertinent references by a foreign patent office.

## CROSS REFERENCE UNDER 37 C.F.R. §1.78 TO RELATED APPLICATIONS

Pursuant to 37 C.F.R. § 1.78, Applicant notes that the above-identified patent application may be related to the following U.S. Patent Applications:

(1) U.S. Patent Application Serial No. 10/398,089, filed January 22, 2004.

Early and favorable consideration is earnestly solicited.

Respectfully submitted,

February 15, 2005

Registration No. 52,392 Attorney for Applicant(s)

DARBY & DARBY P.C. 805 Third Avenue New York, N.Y. 10022 (212) 527-7700

PTO/SB/08a/b (08-03)

01780/100G910-US3

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Attorney Docket Number

Complete if Known Substitute for form 1449A/B/PTO Application Number 10/618,441 INFORMATION DISCLOSURE July 11, 2003 Filing Date STATEMENT BY APPLICANT First Named Inventor David P. Macadam Art Unit 3762 (Use as many sheets as necessary) **Examiner Name** G. C. Manuel

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.1	Document Number  Number-Kind Code <sup>2</sup> ( if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

Sheet

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or	Pages, Columns, Lines,	
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)			Applicant of Cited Decument	Where Relevant Passages or Relevant Figures Appear
	ВА	WO-03/022148-A1	03-20-2003	C.R. Bard, Inc.		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at <a href="www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language

NON PATENT LITERATURE DOCUMENTS						
		Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²			
	CA	Shelly A. STEVENSON, et al., "Analysis of the Intraventricular Electrogram for Differentiation of Distinct Monomorphic Ventricular Arrhythmias", PACE - Pacing and Clinical Electrophysiology, November 1997, Vol. 20, No. 11, pp. 2730-2738.				
	СВ	John P. MARENCO, et al., "Testing of a New T-Wave Subtraction Algorithm as an Aid to Localizing Ectopic Atrial Beats", A.N.E., January 2003, Vol. 8, No. 1, pp. 55-59.				

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Examiner	 Date	
Signature	Considered	

<sup>&</sup>lt;sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.